

**UNITED STATES DISTRICT COURT**  
for the  
District of South Carolina

George Theodore Fitzgerald

*Petitioner*

v.

W.E. Mackelburg, Warden

*Respondent*

Civil Action No. 4:21-cv-2221-DCC

**JUDGMENT IN A CIVIL ACTION**

The court has ordered that *(check one)*:

☐ the petitioner *(name)* \_\_\_\_\_ recover from the respondent *(name)* \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent *(name)* \_\_\_\_\_ recover costs from the petitioner *(name)* \_\_\_\_\_.

☒ other: This Petition is dismissed without prejudice and without requiring Respondent to file a Return

This action was *(check one)*:

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Donald C. Coggins, Jr., United States District Judge who adopts the Report and Recommendation of the Honorable Thomas E. Rogers, III, United States Magistrate Judge.

Date: December 15, 2021

ROBIN L. BLUME  
CLERK OF COURT

s/Debbie Stokes

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*